

**IN THE UNITED STATES DISTRICT COURT  
EASTERN DISTRICT OF ARKANSAS  
JONESBORO DIVISION**

AQUAILIA RENEE RAMSEY

PLAINTIFF

V.

3:05CV00277 GTE

RUSSELL *et al.*

DEFENDANTS

**ORDER**

Plaintiff initiated this § 1983 action by filing a Complaint (docket entry # 1), unaccompanied by an Application to Proceed *In Forma Pauperis*. In an Order dated December 28, 2005 (docket entry #2), the Court ordered Plaintiff to file, within thirty days, an *In Forma Pauperis* application or the statutory filing fee. Plaintiff was also cautioned of the requirements of Local Rule 5.5(c)(2), which provides that if any communication from the Court to a *pro se* litigant is not responded to within thirty days, the case may be dismissed without prejudice.

More than thirty days have passed since the entry date of that Order, and Plaintiff has not responded to the Court's Order. Under these circumstances, the Court concludes that this case should be dismissed without prejudice for failure to comply with Local Rule 5.5(c)(2). *See Miller v. Benson*, 51 F.3d 166, 168 (8<sup>th</sup> Cir. 1995) ("District courts have inherent power to dismiss *sua sponte* a case for failure to prosecute, and we review the exercise of this power for abuse of discretion.")

IT IS THEREFORE ORDERED that Plaintiff's Complaint (docket entry #1) be and it is

hereby DISMISSED WITHOUT PREJUDICE.

DATED this 3rd day of February, 2006.

/s/Garnett Thomas Eisele  
UNITED STATES DISTRICT JUDGE